

By: Pitts

H.B. No. 517

Substitute the following for H.B. No. 517:

By: White

C.S.H.B. No. 517

A BILL TO BE ENTITLED

AN ACT

relating to the eligibility of inmates convicted of certain intoxication offenses for release on parole or mandatory supervision.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 508.145(d)(1), Government Code, is amended to read as follows:

(1) An inmate serving a sentence for an offense described by Section 3g(a)(1)(A), (C), (D), (E), (F), (G), (H), (I), (J), or (K), Article 42.12, Code of Criminal Procedure, or for an offense for which the judgment contains an affirmative finding under Section 3g(a)(2) of that article, or for an offense under Section 20A.03, Penal Code, or serving a sentence of 25 years or more for an offense under Chapter 49, Penal Code, is not eligible for release on parole until the inmate's actual calendar time served, without consideration of good conduct time, equals one-half of the sentence or 30 calendar years, whichever is less, but in no event is the inmate eligible for release on parole in less than two calendar years.

SECTION 2. Section 508.149(a), Government Code, as amended by Chapters 1 (S.B. 24) and 122 (H.B. 3000), Acts of the 82nd Legislature, Regular Session, 2011, is reenacted and amended to read as follows:

(a) An inmate may not be released to mandatory supervision

1 if the inmate is serving a sentence for or has been previously
2 convicted of:

3 (1) an offense for which the judgment contains an
4 affirmative finding under Section 3g(a)(2), Article 42.12, Code of
5 Criminal Procedure;

6 (2) a first degree felony or a second degree felony
7 under Section 19.02, Penal Code;

8 (3) a capital felony under Section 19.03, Penal Code;

9 (4) a first degree felony or a second degree felony
10 under Section 20.04, Penal Code;

11 (5) an offense under Section 21.11, Penal Code;

12 (6) a felony under Section 22.011, Penal Code;

13 (7) a first degree felony or a second degree felony
14 under Section 22.02, Penal Code;

15 (8) a first degree felony under Section 22.021, Penal
16 Code;

17 (9) a first degree felony under Section 22.04, Penal
18 Code;

19 (10) a first degree felony under Section 28.02, Penal
20 Code;

21 (11) a second degree felony under Section 29.02, Penal
22 Code;

23 (12) a first degree felony under Section 29.03, Penal
24 Code;

25 (13) a first degree felony under Section 30.02, Penal
26 Code;

27 (14) a felony for which the punishment is increased

1 under Section 481.134 or Section 481.140, Health and Safety Code;

2 (15) an offense under Section 43.25, Penal Code;

3 (16) an offense under Section 21.02, Penal Code;

4 (17) a first degree felony under Section 15.03, Penal
5 Code;

6 (17-a) an offense under Chapter 49, Penal Code, for
7 which the inmate received a sentence of 25 years or more;

8 (18) an offense under Section 43.05, Penal Code; ~~or~~

9 (19) an offense under Section 20A.02, Penal Code; or

10 (20) ~~(18)~~ an offense under Section 20A.03, Penal
11 Code.

12 SECTION 3. The change in law made by this Act applies only
13 to an offense committed on or after the effective date of this Act.
14 An offense committed before the effective date of this Act is
15 governed by the law in effect on the date the offense was committed,
16 and the former law is continued in effect for that purpose. For
17 purposes of this section, an offense was committed before the
18 effective date of this Act if any element of the offense occurred
19 before that date.

20 SECTION 4. To the extent of any conflict, this Act prevails
21 over another Act of the 83rd Legislature, Regular Session, 2013,
22 relating to nonsubstantive additions to and corrections in enacted
23 codes.

24 SECTION 5. This Act takes effect September 1, 2013.